

**REMARKS**

Claims 1, 9 and 7 have been amended. Claims 1-20 remain in the application.  
Reconsideration of the application is respectfully requested.

5 The Examiner has rejected claims 1-5, 17, and 18 under 35 U.S.C. 102(b) as being anticipated by Muelleman (US 5,448,443). The Examiner has rejected claims 7, 8, 19 and 20 under 35 U.S.C. 103(a) as being unpatentable over Muelleman in a view of Newman (US 5,555,150). The Examiner has also rejected claims 9-16 under 35 U.S.C. 103(a) as being unpatentable over LM1851 Data Sheet from National Semiconductor Corp. in a view of Paradise, US Patent 5,617,284. These rejections are respectfully traversed.

10 The Examiner has stated that "Muelleman discloses all the elements of Claim 1 and 17, including a device for protecting a ground fault circuit interrupter including a surge protector component (element MOV in Fig. 17), and filter (elements T1 and C in Fig. 17) connected across the power inputs of the GFCI circuit for filtering transient power surges to the surge protector component." The Examiner has also stated that "Connection of the  
15 filter across the power inputs of the GFCI circuit is inherent property of the Power Conditioner Device (see Abstract)."

In reference to claim 9, the Examiner stated that "LM 1851 discloses most of the elements of Claim 9, including a ground fault circuit interrupter (element LM1851 in Fig. 2); a surge protector component connected across a set of power inputs (element MOV in  
20 Fig. 2), a bridge circuit with plurality of diodes (not marked in Fig. 2), a GFCI processor connected to the bridge circuit (element 1851 in Fig. 2), the ground transformer connected to the bridge circuit. (element GND/NEUTRAL and HIGH coils in Fig. 2), a sensing transformer connected to GFCI processor (element SENSE and 1000:1 coils in Fig. 2), a solenoid (element circuit breaker coil in Fig. 2), a relay mechanism activated by solenoid  
25 (two N.C. Contacts above the solenoid in Fig. 2)." The Examiner goes on to say "Paradise discloses a surge protector component (element MOV1 in Fig. 21 and MOV2 in Fig. 3)

with a bypass capacitor connected to the surge protector component (element C1 in Fig. 2 and C6 in Fig. 3) and a filter connected across the power inputs for filtering transient power surges to the surge protector (elements L1 and capacitors C6 in Fig. 3).” The Examiner concludes that “it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used Paradise filtering solution in the LM1851 circuit, because as Paradise states (col. 4, lines 55-63), a capacitor place in parallel with the MOV helps in detecting and clamping transients.”

In reference to Applicant’s last response, the Examiner states that “Regarding applicant arguments with respect to rejection of Claims 1-5, 17 and 18 under U.S.C. 102(b), that “Muelleman does not disclose how the MOV within a GFCI can be modified” (page 9, lines 12-13) and his statement that “the device of Muelleman is not integral part of the internal circuit of a GFCI” (page 9, line 9) are lacking the ground, because of the following reasons:

- (a) The features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitation from the specification are not read into the claims. *Se In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993)…”

The Examiner also states the same rejection above for claims 9-16.

The existing family of GFCI products include an internally located MOV which provides protection for the components within the GFCI by clamping transient voltages to acceptable levels. The clamping is determined by the size of the disc of the MOV and the voltage rating of the MOV. Present day GFCIs normally have transient voltages of about 6KV at 100 Amps. With our invention, the same MOV can now sustain a transient surge voltage of 6KV at 3000 amps. Clearly, a significant improvement.

In addition to providing transient surge enhancement, with our invention it was determined that an MOV rated at 120V is able to survive a 240V overload condition, thus allowing the MOV to exceed the RMS voltage rating.

Our invention, as defined by amended independent claims 1, 9 and 17 requires “a  
5 surge protector component connected across the power inputs of the GFCI circuit,” and “a filter circuit ... for filtering transient power surges to the surge protector component to protect the surge protector component and allow higher transient power surges than the surge protector element alone.” The claims have been amended as suggested by the Examiner to clarify the features of the present invention

10 The surge protector component clamps the voltage up to a given voltage for which it was designed. If the voltage is higher than the voltage for which the surge protector component was designed, the filter circuit takes over to provide protection at a higher voltage than the voltage for which the surge protector element was designed.

In operation, with our invention, when an over voltage surge condition occurs, the  
15 filter circuit limits the current that the surge protector component is exposed to during the overload surge condition. Normally, when a conventional surge protector component such as a MOV is used at a voltage that is beyond it's rating, it will disintegrate and fail. But, by limiting the current in the surge protector component as we do, the exposure to RMS voltages beyond it's rating will not damage the surge protector component or the other  
20 components of the GFCI.

None of the references cited disclose or even suggest doing what we disclose and claim as our invention, that a filter circuit takes over at voltages that are higher than the surge protector component can handle and filters transient power surges to the surge protector component.

Nowhere does Muelleman disclose or even suggest how the surge protector component, can be modified by a filter circuit as we disclose and claim to protect the surge protector component from surge currents .

Claims 2-5 depend from claim 1 and claim 18 depends from 17 and, therefore, also  
5 avoid the Muelleman reference.

The rejection of claims 7, 8, 19, and 20 under 35 U.S.C. 103(a) as being unpatentable over Muelleman in view of Newman (US Patent 5,555,150) is traversed. As discussed in detail above, the Muelleman reference clearly does not disclose the elements of our Claim 1. Also, Newman does not disclose doing what we disclose and claim as our  
10 invention.

The rejection of claims 9-16 under 35 U.S.C. 103(a) as being unpatentable over LM 1851 in view of :Paradise (US Patent 5,617,284) is traversed for the reasons stated above. As clearly noted above the LM 1851 reference discloses the chip that is present in the GFCI circuit. It discloses nothing more. Neither LM 1851 nor Paradise, either  
15 separately or combined, disclose or even suggest doing what we disclose and claim as our invention, as stated above. Our invention is not directed to providing a device which is located in front or the device to be protected as the Paradise patent does.

Applicant appreciates the Examiner's statement that 6 and 14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any  
20 intervening claim.

It is only after the Examined has read and fully understood our invention that he has attempted to combine the two references to anticipate doing what we have done and claim as our invention.

The art of record, neither separately nor combined, disclose or even suggest doing  
25 what we disclose and now claim as our invention.

The prior art made of record but not relied upon has been read and found to be of interest.

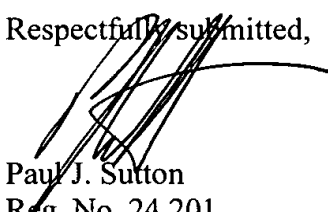
It is our understanding that the claims now present in the application clearly avoid the art of record and that the patent application is in condition for allowance. Early and  
5 favorable reconsideration is respectfully requested.

Applicant respectfully submits that the application is in condition for allowance and respectfully requests early and favorable action by the Examiner. If, however, the Examiner believes that an unresolved issue still remains, then the undersigned attorney would appreciate receiving a call from the Examiner to help resolve the issue.

10 The commissioner is hereby authorized to charge any additional fees which may be required for the amendment to Deposit Account No. 12-1185 of Leviton Manufacturing Co., Inc.

In the event that an extension of time is required to make this Amendment timely filed, the Commissioner is requested to grant a petition for that extension of time which is  
15 required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 12-1185 of Leviton Manufacturing Co., Inc.

Respectfully submitted,

  
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